

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FREDERICK VANTASSEL,	:	
Plaintiff	:	
v.	:	Case No. 3:08-cv-171-KRG-KAP
GERALD L. ROZUM,	:	
SUPERINTENDENT, S.C.I. SOMERSET,	:	
<u>et al.</u> ,	:	
Defendants	:	

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on June 12, 2009, docket no. 32, recommending that the defendants' motion to dismiss, docket no. 17, be granted.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had ten days to file written objections to the Report and Recommendation. Plaintiff filed objections, which I have reviewed but reject.

After de novo review of the record of this matter, the Report and Recommendation, and the timely objections thereto, the following order is entered:

AND NOW, this 24th day of June, 2009, it is

ORDERED that the defendants' motion to dismiss, docket no. 17, is granted. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style. The first name "Kim" is written in a smaller, more compact script, while "R. Gibson" is written in a larger, more expansive script. The signature is positioned above a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

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